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October 21, 2005

VIA HAND DELIVERY

Lawrence H. Norton, Esq.
General Counsel
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: David Wittig, MUR 5657

Dear Mr. Norton:

This letter is in response to your September 1, 2005 letter, informing Mr. Wittig that the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that he violated Federal Election Commission regulations. We have carefully reviewed your letter and the attached General Counsel's Brief, which describe your allegations against Mr. Wittig. For the reasons described in our January 18, 2005 letter to FEC Chairman Smith, we believe that there is no factual or legal basis sufficient to establish that Mr. Wittig violated any campaign finance laws or regulations. Additionally, we incorporate by reference Vice Chairman Michael E. Toner's Statement of Reasons in In the Matter of Westar Energy, Inc., including his conclusion that "OGC's standard is an overly broad theory of corporate facilitation" and that the actions of Westar Energy, Inc. fall under the safe harbor provision of the FEC regulations.

As you may know, Mr. Wittig is currently involved in an ongoing criminal proceeding in the United States District Court for the District of Kansas. This law firm represents Mr. Wittig in those proceedings. At this time, we anticipate that the proceedings in the District Court will continue until January or February 2006. Accordingly, we request that the FEC stay this

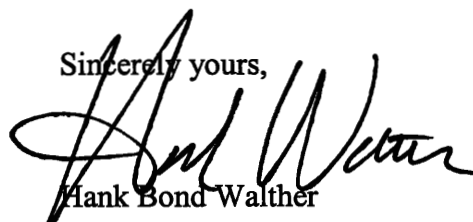
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proceeding until March 2006, when the criminal proceedings in the District Court have been completed and Mr. Wittig, along with his counsel, can devote their full attention to this matter.

Sincerely yours,



Hank Bond Walther

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